

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KATRINA PEEPLES,

Plaintiff,

-against-

CITY OF NEW YORK, ET AL.,

Defendant.

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**DECLARATION OF
ALEXANDER NOBLE IN
SUPPORT OF
DEFENDANTS'
OPPOSITION TO
PLAINTIFF'S MOTION FOR
LEAVE TO FILE A SECOND
AMENDED COMPLAINT**

15-CV-6511 (JBW)(PK)

ALEXANDER NOBLE, declares, pursuant to 28 U.S.C. §1746, under penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney for defendants City of New York, Officer Anthony Ricciardi, Officer Mikelang Zidor, and Sergeant Dennis Friendly ("defendants"). As such, I am familiar with the facts stated below and submit this declaration to place the relevant documents on the record in opposition to plaintiff's Motion for Leave to File a Second Amended Complaint.

2. Annexed hereto as Exhibit "A" is a true and correct copy of the Original Complaint in the instant matter filed on November 12, 2015 in which plaintiff asserts that she was falsely arrested on September 8, 2013. Plaintiff's Original Complaint alleged claims of false arrest, failure to intervene, and municipal liability, and named as defendants the City of New York, Officer Ricciardi, Sergeant Friendly, and John/Jane Doe police officers 1-5.

3. Annexed hereto as Exhibit “B” is a true and correct copy of the Order of Magistrate Judge Kuo, dated March 10, 2016, providing that any motion to amend the pleadings be filed by April 1, 2016.

4. Annexed hereto as Exhibit “C” is a true and correct copy of Plaintiff’s First Amended Complaint, filed with defendants’ consent on April 14, 2016, adding Officer Zidor as a defendant but including no additional claims or factual allegations.

5. Annexed hereto as Exhibit “D” is a true and correct copy of Plaintiff’s proposed Second Amended Complaint, in which plaintiff seeks to assert a failure to intervene claim against a new defendant, Officer Stavros, and add previously unasserted claims of excessive force, First Amendment retaliation, and denial of the right to fair trial after the deadline to amend the pleadings set forth in the Court’s March 10, 2016 Order.

6. Annexed hereto as Exhibit “E” is a true and correct copy of Plaintiff’s NYPD Court Verification Card/Arrest Card in the Queens District Attorney’s Office file, showing that Officer Ricciardi forwarded information relating to the two open bench warrants discovered during plaintiff’s arrest processing to the district attorney’s office following her September 8, 2013 arrest.

Dated: New York, New York
September 27, 2016

ZACHARY W. CARTER
Corporation Counsel of the City of New
York
*Attorney for Defendants City, Ricciardi,
Zidor, and Friendly*
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By: /s/ Alexander Noble
Alexander Noble
Assistant Corporation Counsel

cc: **VIA ECF**
Ryan Lozar, Esq.
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